

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow. Claims 1, 4, 6-8, 15, 18-20, 25, 28-31, 34 and 40 have been amended. Claims 3, 5, 16, 17, 26, 27, 35 and 36 have been cancelled. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier. Claims 1, 2, 4, 6-15, 18-25, 28-34, 37-39, 41 and 42 are currently pending in the application.

35 U.S.C. 101 Rejections:

Claims 25 and 32-42 are rejected under 35 U.S.C. 101 because the claimed invention is allegedly directed to non-statutory subject matter. Reconsideration and withdrawal of this rejection is respectfully requested. These claims have been amended to address these issues. Thus, reconsideration and withdrawal of this rejection is respectfully requested.

Prior Art Rejections:

Claims 1-3, 6, 7, 9, 12-16, 18, 19, 21-26, 28, 29, 33-35, 37, 38 and 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,756,913 to Ayed (hereinafter “Ayed”) in view of U.S. Patent Application Publication 2004/0177109 to Lee (hereinafter “Lee”). Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ayed in view of Lee and further in view of U.S. Patent Application Publication 2003/0065556 to Takanashi et al. (hereinafter “Takanashi”). Claims 5, 17, 27 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ayed in view of Lee and further in view of U.S. Patent Application Publication 2005/00227620 to Morimoto (hereinafter “Morimoto”). Claims 8, 20, 30, and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ayed in view of Lee and further in view of Morimoto and Takanashi. Claims 10, 11, 22, 31, 32, 40 and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ayed in view of Lee and Morimoto and further in view of Takanashi. These rejections are traversed for the reasons that follow.

Independent claim 1 recites a system for hiring a taxi, “wherein said handy terminal displays a plurality of said taxi data therein such that a user of said handy terminal can select

a taxi among displayed taxis, based on said plurality of said taxi data.” A similar limitation appears in independent claims 15, 25 and 34.

Claims 1-3, 6, 7, 9, 12-16, 18, 19, 21-26, 28, 29, 33-35, 37, 38 and 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ayed in view of Lee.

Ayed is directed towards a system for automatically dispatching taxis to clients. There is no teaching or suggestion in Ayed that the client chooses which taxi to hire, let alone disclosure pertaining to a user hiring a taxi from a list of displayed taxis based on data pertaining to each of the taxis that is displayed on the handy terminal. Rather, Ayed teaches:

“In step 66, the server looks for a match between the client location and one of the available taxi locations. In step 68, the server checks if a match is found. There are several methods for seeking a match. One method consists of searching for the taxi that is nearest to the client, and where the distance between the taxi and the client is less than a predetermined maximum distance. Another method consists of getting the first taxi in the pool of available taxis. A third method consists of using the traffic data and possibly the topological and geographical data to estimate the time of arrival of each of the taxis to the client location. The taxi with the least travel time to the client location is selected . . . In step 82, if a match is not found, the server requests if the client wants to wait or to be called back when a match is found, and in the latter case, the server may request the client to provide a contact number. If a match is found. In step 70, server 40 translates the client GPS position into an address using database 44 and sends the client information and address to taxi 16. In step 72, the server awaits taxi acceptance of the client request for service. In step 74, if a confirmation is not received within a predetermined period of time, server 40 looks for another match in step 66. If a confirmation is received within a predetermined period of time, the server sends a confirmation to the client in step 76 together with the taxi information and an estimate of arrival of the taxi to the client location.” (column 5, lines 10-35)

Ayed teaches the server decides which taxi is to be utilized by the client in response to the client request. Thus, Ayed fails to teach all of the features of the independent claims,

specifically failing to teach “wherein said handy terminal displays a plurality of said taxi data therein such that a user of said handy terminal can select a taxi among displayed taxis, based on said plurality of said taxi data.”

Lee does not make up for the deficiencies of Ayed as shown above. Lee teaches that the central control office selects a taxi and sends its information to the user to accept or decline. (paragraph 0025) If the user accepts the taxi, the taxi is sent to the user. If the user declines the chosen taxi, then the central control office selects another taxi and sends the other taxi’s information to the user for approval. (paragraphs 0033-0035). There is no teaching or suggestion in Lee that the user is able to choose a taxi among displayed taxis, based upon the data relating to each of the taxis. Rather, the user is only able to accept a taxi that has been chosen for him. Thus, Lee also fails to teach all of the features of the independent claims, specifically failing to teach “wherein said handy terminal displays a plurality of said taxi data therein such that a user of said handy terminal can select a taxi among displayed taxis, based on said plurality of said taxi data.”

The dependent claims are also patentable for at least the same reasons as the independent claims on which they ultimately depend. In addition, they recite additional patentable features when considered as a whole. As mentioned above, Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ayed in view of Lee and further in view of Takanashi. Takanashi fails to make up for the deficiencies of Ayed and Lee as shown above. Takanashi teaches that a provisional order is sent by the vehicle dispatching center to a taxi to dispatch it to a requester. The requester is then informed of the dispatch. (paragraphs 0046 and 0047). There is no teaching or suggestion in Takanashi that the client chooses which taxi to hire, let alone disclosure pertaining to a user hiring a taxi from a list of displayed taxis based on data pertaining to each of the taxis that is displayed on the handy terminal. Thus, Takanashi also fails to teach all of the features of the independent claims, specifically failing to teach “wherein said handy terminal displays a plurality of said taxi data therein such that a user of said handy terminal can select a taxi among displayed taxis, based on said plurality of said taxi data.” Thus, if this rejection is

maintained, the Examiner is respectfully requested to point out where these features are disclosed in Ayed, Lee, Takanashi, or any combination thereof.

Claims 5, 17, 27 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ayed in view of Lee and further in view of Morimoto. Morimoto fails to make up for the deficiencies of Ayed and Lee as shown above. Morimoto teaches that a taxi user inputs a car-allocation request, that can be customized, to a taxi company server via a website. The vehicle selection part of taxi company server selects a taxi that is to be allocated to the user. There is no teaching or suggestion in Morimoto that the client chooses which taxi to hire, let alone disclosure pertaining to a user hiring a taxi from a list of displayed taxis based on data pertaining to each of the taxis that is displayed on the handy terminal. Thus, Morimoto also fails to teach all of the features of the independent claims, specifically failing to teach “wherein said handy terminal displays a plurality of said taxi data therein such that a user of said handy terminal can select a taxi among displayed taxis, based on said plurality of said taxi data.” Thus, if this rejection is maintained, the Examiner is respectfully requested to point out where these features are disclosed in Ayed, Lee, Morimoto, or any combination thereof.

Claims 8, 20, 30, and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ayed in view of Lee and further in view of Morimoto and Takanashi. Claims 10, 11, 22, 31, 32, 40 and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ayed in view of Lee and Morimoto and further in view of Takanashi. Morimoto and Takanashi fail to make up for the deficiencies of Ayed and Lee as shown above. Thus, if this rejection is maintained, the Examiner is respectfully requested to point out where these features are disclosed in Ayed, Lee, Morimoto, Takanashi or any combination thereof.

Conclusion:

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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